

**UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

IN RE:

**RAYSHION SASHINGTON

DEBTOR.**

BANKRUPTCY CASE NO.: 19-31767

CHAPTER 13 PROCEEDING

**NOTICE OF MOTION TO MODIFY CHAPTER 13 PLAN
AND NOTICE OF OPPORTUNITY FOR HEARING**

Debtor, by and through counsel, has filed a Motion with the court as described above. A Copy of Said Motion is attached hereto.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one.

If you do not want the Court to grant relief requested in the attached Motion, or if you want the Court to consider your views on the Motion, then within **Twenty-one (21) days** of the date of original notice, you or your attorney must file with the Court a written response to the Motion which response must comply with the local Bankruptcy Rule 9013-1 at:

Clerk, United States Bankruptcy Court
United States Bankruptcy Court, WDNC
401 West Trade Street, Suite 2500
Charlotte, NC 28202

If you mail your response to the Court for filing, you must mail it early enough so that the Court will receive it on or before the date stated above. You must also mail a copy to:

David W. Hands
Hands Law Office, PLLC
3558 N. Davidson Street
Charlotte, NC 28205

No hearing will be held on the Motion unless a response is timely filed and served, in which case, the Court will conduct a hearing on **January 28, 2025 at 10:00 a.m.** at the United States Bankruptcy Court, Judge Beyer- LTB Courtroom 2A, 401 West Trade Street, Charlotte, North Carolina. No further notice of this hearing will be given. If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought in the Motion and may enter an Order granting the requested relief.

Respectfully submitted this 15th day of December 2024.

/s/ David W. Hands
David W. Hands, Bar No. 28560
Attorney for Debtor
Hands Law Office, PLLC
3558 N. Davidson Street
Charlotte, NC 28205
(704) 248-7976
Dhands@handslawonline.com

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MOTION TO MODIFY CHAPTER 13 PLAN

NOW COMES DEBTOR, by and through his undersigned Counsel, David W. Hands, and move the Court, pursuant to 1329 of the United States Bankruptcy Code, to modify her Chapter 13 Plan and respectfully show the Court the following:

1. On December 31, 2019, Debtor filed a petition for relief under Chapter 13 of the United States Bankruptcy Code.
2. Debtor's Chapter 13 plan was confirmed on April 6, 2020.
3. Since starting his plan, Debtor has substantially complied with his monthly plan payments.
4. When the bankruptcy began, Debtor owned and operated a tax business that had three locations in and around Charlotte. The following has impacted Debtor's income:
 - a. During the pandemic, Debtor was forced to close 2 of his locations due to financial constraints and a shortage of workers.
 - b. His plan was to eventually reopen them but due to financial constraints and his current bankruptcy he was unable to.
 - c. Debtor only has one location which has resulted in a significant reduction in income.
5. In addition to the above, Debtor's non-filing spouse has had long term complications with Lupus, Kidney Disease and Pulmonary Issues. These complications have been very costly with treatments and hospitalizations.
6. On October 25, 2023, Debtor received an Order allowing him to sell his home.
7. The sale helped Debtor pay off all of his secured debt, all of his priority debt and paid approximately 20% to all of his unsecured creditors.
8. Debtor is now requesting that his plan payments be reduced to \$500 per month for the remainder of his plan. Debtor has filed an amended budget to support this request.

WHEREFORE, Debtor prays the Court as follows:

1. That his Chapter 13 Plan be modified to reduce his plan payments to \$500.00 per month.
2. That Attorney for Debtor be awarded the presumptive non-base fee of \$450.00, and
3. For any other and further relief that the Court deems just and proper.

Respectfully submitted this 15th day of December 2024.

/s/ David W. Hands

David W. Hands, Bar No. 28560

Attorney for Debtor

Hands Law Office, PLLC

3558 N. Davidson Street

Charlotte, NC 28205

(704) 248-7976

Dhands@handslawonline.com

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of Debtor's Motion To Modify Chapter 13 Plan by either Electronic Case Filing as indicated below or by depositing copies of same in the exclusive care and custody of the United States Postal Service, with proper postage thereto affixed, addressed to the parties listed herein below and on the attached list of creditors.

Bankruptcy Administrator Via Electronic Case Filing

Jenny P. Holman Via Electronic Case Filing
Chapter 13 Trustee

Respectfully submitted this 15th day of December 2024.

/s/ David W. Hands
David W. Hands, Bar No. 28560
Attorney for Debtor
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